

Catherine Hancock

Tulane University Law School
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New Orleans, LA 70118

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Education:

University of Chicago School of Law, J.D., 1975

Chair, Moot Court Board, 1974-1975

Finalist, Hinton Moot Court Competition, 1973-1974

Summer Clerkships:

With Spaeth Firm, Palo Alto, California, Summer 1973

With Office of U. S. Attorney, S.D.N.Y., Criminal Division, New York, Summer 1974

Stanford University, A.B. in History, With Distinction, 1972

Stanford-in-France, Tours, France, March to September 1970

Intern, Office of Representative Pete McCloskey, Washington, D.C., Summer 1971

Member, University Chorus and Choir, 1969-1972

Employment:

Law Clerk for Honorable James L. Oakes, U. S. Court of Appeals for the Second Circuit,
Brattleboro, Vermont, 1975-1976

Faculty Member, Tulane University School of Law, 1976 to present

Geoffrey C. Bible & Murray H. Bring Professor of Constitutional Law, 2007 to present

Professor of Law, 1997-2007

Associate Professor, 1979-1997

Assistant Professor, 1976-1979

Awards & Honors:

Felix Frankfurter Distinguished Teaching Award, 1992, 1998, 2005

C. J. Morrow Research Professorship, 2004-05

Marks Award for Faculty Scholarship, 2002

Scholarship:

Casebooks:

CONSTITUTIONAL LAW: CASES, MATERIALS, AND PROBLEMS

with Russell Weaver, Steven Friedland, Bryan Fair, John Knechtle & Richard Rosen

Fourth Edition, Wolters Kluwer (2017)

CRIMINAL LAW: A CONTEMPORARY APPROACH
with Russell Weaver & John Burkoff
Interactive Casebook Series
Third Edition, West Academic Publishing (2018)

CRIMINAL PROCEDURE: INVESTIGATION: A CONTEMPORARY APPROACH
with Russell Weaver, John Burkoff & Steven Friedland
Interactive Casebook Series
Second Edition, West Academic Publishing (2018)

FIRST AMENDMENT: CASES, PROBLEMS & MATERIALS
with Russell Weaver & John Knechtle
Fifth Edition, Carolina Academic Press (2017)

Other Books:

PRINCIPLES OF CRIMINAL PROCEDURE
with Russell Weaver, John Burkoff & Stephen Friedland
Sixth Edition, West Academic Publishing (2018)

INSIDE CONSTITUTIONAL LAW: WHAT MATTERS AND WHY
with Russell Weaver, Steven Friedland, Bryan Fair, John Knechtle & Richard Rosen
Second Edition, Aspen Publishers / Wolters Kluwer (2015)

ACING CONSTITUTIONAL LAW
with Russell Weaver, Steven Friedland & Donald Lively
West Publishing / Thomson Reuters (2010)

READINGS IN CRIMINAL LAW
with Russell Weaver, John Burkoff, Alan Reed & Peter Seago
Anderson Publishing Co. (1998)

Articles:

Reflections on the Brady Violations in Milke v. Ryan: Taking Account of Risk Factors for Wrongful Conviction
38 NEW YORK UNIVERSITY REVIEW OF LAW & SOCIAL CHANGE 437-465 (2014)

Teaching Mens Rea with Flores-Figueroa: Using the Oral Argument to Unwrap the Case
10 OHIO STATE JOURNAL OF CRIMINAL LAW 615-626 (2013)
Symposium on Criminal Law Pedagogy

Warrants for Wearing a Wire: Fourth Amendment Privacy and Justice Harlan's Dissent in United States v. White
79 MISSISSIPPI LAW JOURNAL 35-96 (2009)
Symposium on Great Fourth Amendment Dissents

*Justice Powell's Garden: The Ciraolo Dissent and Fourth Amendment Protection for
Curtilage-Home Privacy*
44 SAN DIEGO LAW REVIEW 551-571 (2007)
Symposium for Criminal Procedure Forum 2006

Origins of the Public Figure Doctrine in First Amendment Defamation Law
50 NEW YORK LAW SCHOOL LAW REVIEW 81-147 (2005-2006)
Symposium on International and Comparative Perspectives on Defamation,
Free Speech, and Privacy

Due Process Before Miranda
70 TULANE LAW REVIEW 2195-2237 (1996)
Symposium in Commemorative Issue for Dedication of Weinmann Hall

State Court Activism and Searches Incident to Arrest
68 VIRGINIA LAW REVIEW 1095-1136 (1982)

The Perils of Calibrating the Death Penalty Through Special Definitions of Murder
53 TULANE LAW REVIEW 828-873 (1979)

Other Writing:

ENCYCLOPEDIA OF THE AMERICAN CONSTITUTION
Entries on "Criminal Conspiracy," "*Fay v. Noia*," "No Knock Entry," "Pornography,"
and "*Townsend v. Sain*"
(Vol. 2 at 514-516 & 688-689; Vol. 3 at 1325 & 1428-1429; Vol. 4 at 1902-1903)
L. Levy, K. Karst & D. Mahoney, eds. (Macmillan and Free Press 1986)

Book Review, *Human Rights in Criminal Procedure* (Andrews ed.) (1982)
12 JOURNAL OF INTERNATIONAL LEGAL INFORMATION 62-64 (1984)

Teaching:

Current Courses:

Constitutional Criminal Procedure, 1976-77 to present
Criminal Law, 1977-78 to present
Constitutional Law: Freedoms of Speech & Press, 1983-84 to present
Seminar on First Amendment, taught every three years

Other Courses & Seminars:

Constitutional Law: Fourteenth Amendment, 2006-07
Law & Gender: Battered Women and the Criminal Justice System, 2006-07
Law & Gender, 1994-95

Federal Courts, 1976-77 to 1984-85, Spring 2007
Legal Analysis Writing Course, Fall 1988, Fall 1993, Fall 1994
Legal Research & Writing Course, 1976-77, 1977-78
Criminal Law Seminar, 1989-90
Criminal Justice Seminar, 1985-86 to 1987-88
Criminal Procedure Seminar, 1997-98, 2000-01, 2003-04, 2010-11
First Amendment Seminar, 2002-03, 2013-14, 2016-17
Supreme Court Seminar, 1976-77 to 1979-80
Undergraduate TIDES Seminar, Being an Advocate for Women, Fall 2006 to Fall 2016

Other Teaching & Lecturing:

J.D. Orientation Lectures on Academic Preparation, Fall 2010, Fall 2011, Fall 2012, Fall 2015, Fall 2016, Fall 2017
LL.M. Orientation Lectures, Summers 1987 to 1990, 1994 to 2005, 2007 to present
Criminal Law (recent years); also Equal Protection, First Amendment, Constitutional Law, Constitutional Criminal Procedure (prior years)
Tulane Comparative Law Institute in Toronto, Summer 2004
Comparative Criminal Procedure
Tulane Comparative Law Institute in Grenoble, France, Summers 1980, 1983, 1984
Comparative Criminal Procedure
Comparative Federalism, Co-taught with Hon. John Minor Wisdom
Law School Ph.D. Program for Students in Monterrey, Mexico
Comparative Public Law, Co-taught with colleague, Summer 2001
Law School Summer Sessions, Summers 1985 to 1999, 2001, 2006
Federal Jurisdiction, First Amendment, Constitutional Criminal Procedure
Tulane Department of English as a Second Language, Summers 1994 to 1999, 2001 to 2005
Summer Institute in Legal English, American Constitutional Law
Loyola University School of Law, New Orleans, Adjunct Faculty
Criminal Law, Fall 2006
Federal Jurisdiction, Spring 2004, Spring 2005, Spring 2006
Constitutional Criminal Procedure, Fall 1988
Louisiana Bar Review Course, Federal Jurisdiction & Procedure Lectures
Summers 1995 to present

Law School Service:

Chair of Faculty Committees:

Appointments Committee, 1979-80, 1985-86
Clinical Appointments Committee, 2000-01
Affiliated Faculty Appointments Committee, 2010-11, 2011-12
Faculty Retreat Committee, 1999-2000
Institutional Equity Committee, 2008-09 to 2009-10, 2012-13, 2013-14, 2017-18
Judicial Clerkship Committee, 1992-93 to 1994-95, 1997-98, 2002-03
Placement Committee, Fall 1988, 1989-90

Professors of the Practice Committee, 2016-17
Promotion and Tenure Committee, 2005-06
Readmissions Committee, 2004-05
Speakers and Colloquia Committee, 1996-97
Student Life Committee, 1987-88

Member of Faculty Committees:

Admissions Committee, Spring 1983; 1997-98, 1998-99
Academic Affairs Committee, 1976-77 to 1977-78, 1986-87, 1990-91 to 1993-94,
1999-2000, Fall 2001, 2002-03, 2006-07 to 2007-08, 2016-17
Appointments Committee, 1976-77 to 1978-79, 1981-82, 1983-84, Fall 1988, 1994-95,
2000-01, 2009-10
Building Committee, Fall 2003, Spring 2005
Career Development Committee, 2011-12
Chairs Search Committee, Spring & Fall 1991
Curriculum Committee, 1996-97
Dean's Executive Committee, 2018-19
Dean Search Committee, Spring 1978, 2000-01
First Amendment Chair Committee, 1983-84
Graduate Student Committee, 1978-79
Institutional Equity Committee, Fall 2014, 2015-16
Intellectual Life Committee, Spring 2009, 2010-11
Judicial Clerkship Committee, 1978-79 to 1981-82, Spring 1983, Fall 1988, Spring 1996,
2003-04
Legal Analysis Program Committee, Spring 1987, Spring & Fall 1988
Library Committee, Fall 2001
Library Liaison Committee, 2006-07
Moot Court Committee, 1976-77, 1977-78
Promotion & Tenure Committee, 2007-08, 2014-15, 2018-19
Readmissions Committee, 1977-78 to 1981-82, 1998-99, 2003-04
Search Committee for Director of Environmental Institute, Summer 2001
Search Committee for Environmental Clinic Fellows, Summer & Fall 2001, Summer 2003,
Summer 2011
Speakers & Colloquia Committee, 1999-2000
Strategic Planning Committee, Spring 1999, November 2006 to April 2007
Student Life Committee, 1986-87

Other Law School Service & Activities:

Faculty Co-Advisor, Tulane Journal of Law & Sexuality, 1989-90 to present
Faculty Co-Advisor, Law Students for Reproductive Justice, 2012-13 to present
Faculty Co-Advisor, Criminal Law Society, 1998-99 to 2004-05, March 2016 to present
Faculty Advisor, Public Interest Law Foundation, 1991-92 to 2001-02
Co-Director, Tulane Institute of Comparative Law in Toronto, 2003-04, 2004-05
Chair, Ph.D. Dissertation Committee, 2003-04 to 2008-09

Member, S.J.D. Dissertation Committee and Dissertation Advisor, 2001-02
Co-Chair, Phelps First Amendment Lecture Series, 1992-93 to 1995-96
Editor, Tulane Lawyer, 1979-80, Fall 1980

Other Service:

University Service:

Ad Hoc Grievance Committee, April to July 1992
Affirmative Action Committee, 1986-87, 1987-88, 1992-93 to 1993-94
Appellate Hearing Committee, 1977-78 to 1980-81
Educational Policy Committee, 1979-80 to 1981-82, 2009-10, 2016-17, 2017-18, 2018-19
Election Appeals Committee, 1977-78, 1978-79
Pay Equity Issues Committee, 1986-87, 1987-88
President's Advisory Committee, 1979-80 to 1981-1982, 2010-11 to 2012-13
Student Affairs Committee, 1978-79, 1994-95 to 1996-97
Law School Faculty Senator in University Senate, 1983-84 to 1985-86, Spring 2001,
Spring 2010 to 2011-12

Service for Association of American Law Schools (AALS):

Chair, Committee on Local Arrangements for Annual Meeting, 1995
Chair, Committee on Sections and the Annual Meeting, 1992-1994; Member, 1991-1992
Chair, New Law Teachers Workshop Planning Committee, 1990-1991; Member, 1991-1992
Chair, Criminal Justice Section Program at Annual Meeting, 1989
Chair, Program Committee for Annual Meeting, 1987
Member, Criminal Justice Teaching Conference Planning Committee, 1986-1987
Chair, Criminal Justice Section, 1987-1988
Chair, Legal History Section, 1985-1986
Member, Professional Development Committee, 1985-1987
Organizer/Moderator, Annual SEALS Discussion Groups on Criminal Law and Procedure,
Fall 2012 to Present

Service for Southeastern Association of Law Schools (SEALS):

Chair, Mentor Committee, Fall 2018 to present
Member, Mentor Committee, Summer 2009 to Summer 2018
Program Committee, 1996 to 2000
President, 1995-1996
President-Elect, 1994-1995

Speeches and Lectures:

Selected Speeches Outside Tulane:

- “Imagining the Chicago 8 Trial without Judge Julius Hoffman,” Speech for Discussion Group on the 50th Anniversary of the Chicago 8 Trial, SEALS Annual Conference, Fort Lauderdale, Florida, August 6, 2018
- “Developments in First Amendment and Fourth Amendment Law,” Speech for Panel on Supreme Court and Legislative Update: Individual Rights, SEALS Annual Conference, Fort Lauderdale, Florida, August 5, 2018
- “Is *Miranda* Good or Bad for the Police: A Tale of the *Miranda* Warnings,” Speech at Eleventh Criminal Law Symposium: Entering the Second Fifty Years of *Miranda*, Texas Tech University School of Law, Lubbock, March 31, 2017
- “The *Tsarnaev* Interrogation: Due Process and the *Miranda* Public Safety Exception for Suspected Terrorists,” Speech for Panel on *Miranda* at Fifty, SEALS Annual Conference, Amelia Island, Florida, August 7, 2016
- “Comparing Perspectives on DNA Privacy in *Maryland v. King* and in the U.K.,” Speech for Panel on DNA Issues, SEALS Annual Conference, Boca Raton, Florida, July 30, 2015
- “Government Manipulation of Expectations of Privacy and the Loss of DNA Privacy in *Maryland v. King*,” Speech at Ninth Criminal Law Symposium: The Fourth Amendment in the 21st Century, Texas Tech University School of Law, Lubbock, April 17, 2015
- “The First and Fourth Amendment in Cyberspace,” Speech for Plenary Session Panel on Law, Technology, and the U. S. Supreme Court, Sedona Conference: All Voices Meeting, New Orleans, November 6, 2014
- “Scholarship Strategies in the Workplace,” Speech for Discussion Group on Work/Life Balance, SEALS Annual Conference, Amelia Island, Florida, August 4, 2014
- “Developments in Fourth Amendment Law,” Speech for Panel on Supreme Court and Legislative Update: Individual Rights, SEALS Annual Conference, West Palm Beach, Florida, August 5, 2013
- Commentary on Paper on “Plea Bargaining and *Brady v. Maryland*” for Discussion Group on *Brady*, SEALS Annual Conference, West Palm Beach, Florida, August 8, 2013
- “Teaching Strict Liability in *Flores-Figueroa*,” Speech for Discussion Group on Criminal Law Pedagogy, SEALS Annual Conference, Amelia Island, Georgia, August 3, 2012
- “Developments in First Amendment Law,” Speech for Panel on Supreme Court and Legislative Update: Individual Rights, SEALS Annual Conference, Hilton Head, South Carolina, July 24, 2011
- “What Happened in *Herring*?”, Speech for Panel on Exclusionary Rule at Fourth Criminal Law Symposium: Fourth Amendment Law, Texas Tech University Law School, April 2010
- “Justice Harlan’s Dissent in *United States v. White*,” Speech for Panel at Symposium on Fourth Amendment Dissents, University of Mississippi School of Law, February 2009
- “Blackstone and Modern Theft Law,” Speech for Panel on Teaching Methods in Criminal Law Workshop, SEALS Annual Conference, Palm Beach, Florida, August 1, 2008
- “*Gideon* and the Right to Counsel at Trial,” Speech for Panel on Teaching Methods in Criminal Procedure Workshop, SEALS Annual Conference, Palm Beach, Florida, July 31, 2008
- “The Impact of *Missouri v. Seibert*,” Speech for Panel on the Supreme Court’s Confessions Jurisprudence, SEALS Annual Conference, Amelia Island, Florida, August 3, 2007
- “Funeral Picketers and the First Amendment,” Speech as Invited Participant in First Amendment Forum, University of Louisville School of Law, December 2007
- “Curtilage Protections and *Oliver v. United States*,” Speech as Invited Participant in Criminal Procedure Forum, University of Louisville School of Law, December 2006

- “The Meaning of Skills Teaching in Criminal Procedure,” Panel on Incorporating Skills Training in Substantive Courses, SEALS Annual Conference, Palm Beach, Florida, July 21, 2006
- “The Supreme Court’s First Amendment Cases,” Speech for Panel on Supreme Court and Legislative Update, SEALS Annual Conference, Hilton Head Island, South Carolina, July 17, 2005
- “The Concept of Public Figures,” Speech as Invited Participant in First Amendment Forum on Defamation, New York Law School, December 2004
- “*Miranda* in Canada,” Speech for Panel on Comparative Perspectives, SEALS Annual Conference, Kiawah Island, South Carolina, August 1, 2004
- “The Merits of Judicial Elections v. Judicial Appointments,” Speech for Panel on Program sponsored by Louisiana Center for Law & Civic Education, New Orleans, May 2003
- “Juvenile Curfew Laws,” Speech for Panel on Program sponsored by Louisiana Center for Law & Civic Education, New Orleans, May 2003
- “Recent Louisiana Supreme Court Cases on Criminal Law & Procedure,” Speech at Louisiana Criminal Defense Lawyers Association Meeting in Lafayette, Louisiana March 2002 & March 2003
- "The Supreme Court's 2000 Term," Presenter on New Orleans TV program, "It's the Law," September 2000
- "Developing International Programs Abroad," Speech for Panel on Legal Education, SEALS Annual Conference, Hilton Head, South Carolina, July 2000
- "Sex Crimes and Evidence Law Reform," Speech at Louisiana State Judicial College, Sandestin, Florida, June 1999
- "Are Sex Crimes Really Different?" Speech at ABA Appellate Judges Seminar, Williamsburg, Virginia, April 1999
- "The Fourth Amendment in the 1990s," Speech at Louisiana State Judicial College, Sandestin, Florida, June 1998 (other versions given at Louisiana State Judicial College Meeting in New Orleans in February 1998, and at Louisiana Criminal Defense Lawyers Association Meeting in Lafayette in November 1998)
- “Law and Religion,” Presenter on New Orleans TV program, “It’s the Law,” February 1997
- “Teaching Defenses Beyond the Casebook,” Speech at AALS Criminal Justice Section Workshop, Washington, D.C., October 1993
- “*Miranda* Morphs,” Speech at Louisiana State Judicial College, Sandestin, Florida, June 1993
- “Effectiveness of Counsel in Death Penalty Cases,” Speech at Louisiana State Judicial College, Sandestin, Florida, June 1991
- “A Perspective on Bork’s TAMING OF AMERICA,” Speech to Alumni at University of Chicago Law School, Reunion Weekend, Chicago, May 1990
- “A Feminist Approach to Teaching Rape,” Speech at AALS Criminal Justice Section Teaching Conference, Chapel Hill, North Carolina, May 1987
- “The Constitution Outside the Courts,” Speech at Symposium Sponsored by L.B.J. Library, Austin, TX, March 1987
- “Congressional Power to Limit Article III Jurisdiction,” Speech for ACLU Conference, New Orleans, April 1983
- “*National League of Cities v. Usery*,” Speech for IPMA Convention, New Orleans, October 1978
- “Sex Discrimination,” Speech for Students at ABA Law Student Division Convention, New Orleans, March 1978

Selected Speeches at Tulane:

- “Considering Justice Kennedy’s Legacy in Constitutional Law,” Speech for Faculty Panel for Students, Sponsored by the American Constitution Society, September 5, 2018
- “The *Carpenter* Case and the *Masterpiece Cakeshop* Case: Finding Common Ground with John Marshall’s Era,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 18, 2017
- “A Historical Perspective on Constitutional Issues in Election Rhetoric,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 16, 2016
- “A Historical Perspective on Constitutional Issues in Election Rhetoric,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 16, 2016
- “The *Obergefell* Decision and the Next Phase of Resistance, Speech for Faculty Panel Presentation for Students on Constitution Day, September 2015
- “The Evolution of Sisterhood,” Speech for Tulane Law Women, September 2014 & 2013
- “The *Windsor* Facts, the Oral Arguments, and the Decision,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 2013
- “Domestic Violence and Health Care Justice,” Speech for Faculty Panel at Southern Regional Conference of Law Students for Reproductive Justice, February 2013
- “Marriage Equality and the Law,” Speech for Faculty Panel Presentation for Students in Lambda & Federalist Society, February 2013
- “*Ten Years After* Lawrence v. Texas,” Speech for Faculty, November 2012
- “Forty Years of Women in Law School: Where Are We Now?,” Speech for Students in Tulane Law Women, October 2012
- “Comments on Affirmative Action and the Arguments in *Fisher v. University of Texas*,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 2012
- “The Good Faith Story in *U. S. v. Herring*,” Speech for Faculty, June 2010
- “Equal Protection and Same-Sex Marriage Litigation,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 2010
- “Fourth Amendment Curtilage Doctrines,” Speech for Faculty, April 2007
- “Judicial Independence and Politics,” Speech for Faculty Panel Presentation for Students on Constitution Day, September 2006
- “The Public Figure Doctrine and *Curtis Publishing Co. v. Butts*,” Speech for Faculty, April 2005
- “Trial Procedures for Terrorists,” Lecture in Honors Seminar on Terrorism, Tulane Philosophy Department, November 2002
- "Rape Shield Statutes," Speech for Faculty, April 1999
- "American Criminal Procedure," Lecture for Visiting Swiss Lawyers, September 1999
- “The First Amendment, the Communications Decency Act, and the Internet,” Speech for Alumni, October 1996
- "Due Process Before *Miranda*," Speech for Faculty, March 1996
- “The Lawyering in the O.J. Trial, and the Fourth Amendment,” Speech for Alumni, April 1995
- “The United States Supreme Court’s Current Approaches to Free Speech and Religion Cases,” Lecture for Tulane CLE Program, December 1994
- “Race Hate Speech and Censorship: Campus Speech Codes and the First Amendment,” Speech for Students, October 1990
- “Closing Arguments in Death Penalty Cases,” Speech for Students, February 1989
- “Violence Against Women,” Speech for Students, January 1987

“Fourth Amendment Rights in School,” Speech for Students, July 1986
"How to Prepare for Law School Exams," Speeches for Students, October 1996, 1998 to 2004
“Women Lawyers,” Speeches for Students, April 1981, July 1986, March 1988
“Capital Punishment,” Speeches for Students, Tulane Catholic Center, October 1977 and 1979,
February 1981
“*Bakke* and University Admissions,” Speeches for Administrators, November 1977 & July 1978

Pro Bono Service:

Pro Bono Co-counsel: For Robert Sawyer on Louisiana’s death row, 1983-1990

Argued and Briefed: Sawyer v. Smith, 497 U.S. 227 (1990)
Sawyer v. Butler, 881 F.2d 1273 (5th Cir. 1989) (en banc)
Sawyer v. Butler, 848 F.2d 582 (5th Cir. 1988)
Assisted in briefing: Sawyer v. Maggio, 479 So.2d 360 (La. 1985) (writ denied)
Sawyer v. Louisiana, 466 U.S. 931 (1984) (cert. denied)
Sawyer v. State, 442 So.2d 1136 (La. 1983)
Sawyer v. Louisiana, 463 U.S. 1223 (1983) (vacating judgment)

Personal: Married to Peter L. Koerber
Children: Elizabeth Koerber, Caitlin Koerber, and Margaret Koerber

February 2019

